Sept. 30. 1780

The Deposition of John Coombs of Newbury Port in the County of Essex Mariner, who testifies & says that in the latter End of January An. Dom. 1778 he was at the Island of Martinico & that while he was there, Capt. William Carlton arrivd there in a Brigantine laden with flour as a Prize, of which sd Carlton was Master — That Wm Bingham Esq. who acted there as Agent for the American Congress, took the sd Vessel & Cargo into his Custody & She was brot by his Direction into the Road of Saint Pierres — That the sd Bingham told the sd Deponent that he should take the sd Brigt & Cargo into his Custody & should sell the Cargo & deposit the Money in the King's Treasury until it was known whether the sd Brigt & Cargo would be condemned as Prize or not — sd Bingham said the Reason of his taking the sd Brigt into his Custody, was because he took her to be neutral Property & did not know whether she would be condemned or not, & that there would be disputes about her & further he says not

John Coombs

Miscellaneous 887

Essex ss Sept. 30th. 1780 Then the aforenamed John Coombs personally appeard & after being carefully examind & duly cautiond to testify the whole Truth and nothing but the Truth relating to the Cause hereafter mentiond, made Oath to the Truth of the aforewritten Deposition by him subscribed — Taken at the Request

of

of William Carlton of Salem in sd County mariner
to be used in an Action or Plea of Trespass on the
Case to be heard & tried at the Inferior Court of Com-
Pleas next to be holden at Boston in & for the Coun-
ty of Suffolk on the first Tuesday of October next
wherein the sd Carltons is Pltf & Thos. Russel & Wm
Erskine of sd Boston ~~Deft's~~ Agents & Trustees
of Wm. Bingham Esq. an absconding Debtor
are Deft's — The Deponent living & being
more than thirty miles from the Place of Tri-
al is the Cause of taking this Deposition — The
adverse Party living & being more than twenty
Miles from the Place of Caption were not notified
nor present thereat

Taken in due form of Law by me
Nat. Pike Just. Pac.

RW1082(1)

The Deposition of John Coombs taken & sealed up to be delivered to the Honble. Justices of the Inferior Court of Com. Pleas for the County of Suffolk by me Nic.l Pike Just. Pac.

Coombs v. Enkins

RW 10826 N15 Ch. N.1, D.3, P.87